IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 3682 OF 2004

Dattatraya Audumbar Gaikwad ... Applicant

versus

State of Maharashtra ... Respondent

...

Mr. Dinesh W. Bhosale, for the Applicant.

Mr. A.S. Gadkari, A.P.P., for the Respondent.

...

CORAM : A.M.KHANWILKAR,J.

29th September 2004

P.C.:

. Heard Counsel for the parties. This application for regular bail is filed by accused No. 1. Accused No. 2 is already enlarged on bail by the trial Court. The offence registered against the Applicant is in relation to sections 307, 323, 506 read with section 30, I.P.C. The Applicant had filed application for bail on the earlier occasion, but this Court by order dated 11th June 2004 permitted the Applicant to withdraw the application with liberty to file

fresh application after three months. Accordingly, present application is moved before this Court.

. After hearing Counsel for the parties, it transpires that there is remote possibility of early disposal of the trial pending before the Court below, as presently cases pertaining to the year 1997 are being taken up by that Court. This statement is not disputed by the learned A.P.P. The Applicant is already in custody since 15th January 2004. The co-accused has already been released on bail. Investigation is complete and charge sheet has also been filed. The Applicant is willing to abide by any strict condition that may be imposed by this Court. Taking overall view of the matter, in the interest of justice, the Applicant is enlarged on bail in conection with CR.No. 14/2004 registered with Pandharpur Taluka Police Station on executing personal bond in the sum of Rs. 50,000/- with one or two sureties in the like amount.

. The Applicant shall not enter the jurisdiction of Pandharpur Taluka Police Station except for attending Court proceedings.

. The Applicant shall report to the nearest Police Station where he would be residing once in fortnight on Saturday between 10 a.m. to 2 p.m. or on such other date and time as may be indicated by the concerned police station. The address where the Applicant intends to reside will be made known to the trial Court within one week from the date of release on bail.

. The Applicant shall not temper with the prosecution evidence or influence the prosecution witnesses in any manner whatsoever.

. The Applicant shall attend regularly the trial Court on every date of hearing. In case the Applicant fails to comply with this condition without sufficient casue, that will be a ground for cancellation of bail.

. The Applicant shall extend full co-operation to the trial Court for early disposal of the trial. If the trial Court is of the opinion that the Applicant is responsible for delay, that can also be a ground for cancellation of bail.

. Parties to act on the authenticated copy of this order.